



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE

4949-A Cox Road, Glen Allen, Virginia 23060

(804) 527-5020 Fax (804) 527-5106

www.deq.virginia.gov

L. Preston Bryant, Jr.
Secretary of Natural Resources

David K. Paylor
Director

Gerard Seeley, Jr.
Regional Director

May 11, 2006

Mr. Steven J. Dugent, CHMM
Complex Environmental Manager
Tyson Foods, Inc.
13264 Mountain Road
Glen Allen, Virginia 23059

Location: Hanover County
Registration No: 50055
County Plant ID No.: 085-0004

Dear Mr. Dugent:

Attached is an amended permit to operate fuel burning equipment and maintain an Odor Control Management Plan in accordance with the provisions of the Commonwealth of Virginia State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution. This permit replaces your permit dated October 16, 2001.

The permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and civil penalty. Please read all permit conditions carefully.

In the course of evaluating the application and arriving at a final decision to approve the project, the Department of Environmental Quality (DEQ) deemed the application complete on December 29, 2005, and solicited written public comments by placing a newspaper advertisement in the Richmond Times-Dispatch on March 26, 2006. The required comment period, provided by 9 VAC 5-80-1020 A expired on April 24, 2006. A public hearing was held on April 25, 2006, followed by an additional 15-day public comment period.

This approval to operate shall not relieve Tyson Foods, Inc. of the responsibility to comply with all other local, state, and federal permit regulations.

The Board's Regulations as contained in Title 9 of the Virginia Administrative Code 5-170-200 provides that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this case decision notice was mailed or delivered to you. 9 VAC 5-170-180 provides that you may request direct consideration of the decision by the Board if the Director of the DEQ made the decision. Please consult the relevant regulations for additional requirements for such requests.


As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date of service of this decision (the date you actually received this decision or the date on which it was mailed to you, whichever occurred first), within which to initiate an appeal of this decision by filing a Notice of Appeal with:

David K. Paylor, Director
Department of Environmental Quality
P.O. Box 10009
Richmond, Virginia 23240-0009

In the event that this decision is served on you by mail, three days are added to the period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for information on the required content of the Notice Of Appeal and for additional requirements governing appeals from decisions of administrative agencies.

If you have any questions concerning this permit, please call the regional office at (804) 527-5020.

Sincerely,



James E. Kyle, P.E.
Air Permit Manager

jek/ams/500551205SOP.doc

Attachment: Permit
NSPS Dc

cc: Director, OAPP (electronic file submission)
Manager, Data Analysis (electronic file submission)
Chief, Air Enforcement Branch (3AP13), U.S. EPA, Region III



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STATIONARY SOURCE PERMIT TO OPERATE

**This permit includes designated equipment subject to
New Source Performance Standards (NSPS).**

This permit replaces your permit dated October 16, 2001.

In compliance with the Federal Clean Air Act and the Commonwealth of Virginia
Regulations for the Control and Abatement of Air Pollution,

Tyson Foods, Inc.
13264 Mountain Road
Glen Allen, Virginia 23059
Registration No.: 50055
County Plant ID No.: 085-0004

is authorized to operate

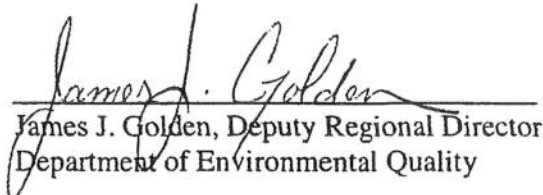
fuel burning equipment
at a chicken processing facility

located at

13264 Mountain Road
Glen Allen, Virginia 23059

in accordance with the Conditions of this permit.

Approved on May 11, 2006.


James J. Golden, Deputy Regional Director
Department of Environmental Quality

Permit consists of 11 pages.
Permit Conditions 1 to 29.

INTRODUCTION

This permit approval is based on the permit application dated June 20, 1995, with amendment information dated July 31, 1995, May 14, 1995, November 4, 1997, June 11, 2001, July 5, 2001, August 20, 2001 and December 22, 2005. Any changes in the permit application specifications or any existing facilities which alter the impact of the facility on air quality may require a permit. Failure to obtain such a permit prior to construction may result in enforcement action.

Words or terms used in this permit shall have meanings as provided in 9 VAC 5-10-10 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution. The regulatory reference or authority for each condition is listed in parentheses () after each condition.

Annual requirements to fulfill legal obligations to maintain current stationary source emissions data will necessitate a prompt response by the permittee to requests by the DEQ or the Board for information to include, as appropriate: process and production data; changes in control equipment; and operating schedules. Such requests for information from the DEQ will either be in writing or by personal contact.

The availability of information submitted to the DEQ or the Board will be governed by applicable provisions of the Freedom of Information Act, §§ 2.2-3700 through 2.2-3714 of the Code of Virginia, § 10.1-1314 (addressing information provided to the Board) of the Code of Virginia, and 9 VAC 5-170-60 of the State Air Pollution Control Board Regulations. Information provided to federal officials is subject to appropriate federal law and regulations governing confidentiality of such information.

PROCESS REQUIREMENTS

1. **Equipment List** - Equipment to be operated at this facility consists of:

<u>ID</u>	<u>Description</u>	<u>Rating</u>	<u>Date of Manufacture</u>
1	one Cleaver Brooks NG/DO Boiler (350 hp)	14.7 MMBtu/hr	November 1969 (moved on site in 1978)
2	one Cleaver Brooks NG/DO Boiler (300 hp)	12.5 MMBtu/hr	August 1965
3	one direct contact propane water heater (NSPS Dc)	15.0 MMBtu/hr	October 1993
4	one direct contact propane water heater (NSPS Dc)	15.0 MMBtu/hr	October 1993
Gen1-4	four diesel generators	19.3 MMBtu/hr, 2000 kW each	July 2001
GT1-4	four fixed roof, horizontal diesel storage tanks	3000 gal each	July 2001
S-1	one Lime storage silo with a baghouse	21.0 Tons	≈1982
	Baghouse for unloading area of chickens		1988 (vented outdoors)

(9 VAC 80-1180 D 3)

2. **Emission Controls** - Emissions shall be controlled by proper operation and maintenance of combustion equipment. The permittee shall develop, maintain, and have available to all operators good written operating procedures and a maintenance schedule for the two Cleaver Brooks Boilers (Ref # 1 and 2). These procedures shall be based on the manufacturer's recommendations, at minimum. All records required by this condition shall be kept on site for the most current five year period and made available for inspection by the DEQ.
(9 VAC 5-80-900)

OPERATING/EMISSION LIMITATIONS

3. **Fuel** - The approved fuel for the four generators (Ref # Gen1, Gen2, Gen3, and Gen4) is distillate oil which meets ASTM [D396-78] specifications for numbers 1 or 2 fuel oil. A change in the fuel may require a permit to modify and operate.
(9 VAC 5-80-850)
4. **Fuel** - The approved fuels for the two Cleaver Brooks boilers (Ref # 1 and 2) are natural gas and distillate oil. Distillate oil is defined as fuel oil that meets the specifications for fuel oil numbers 1 or 2 under the American Society for Testing and Materials, ASTM D396-78 "Standard Specification for Fuel Oils". A change in the fuel may require a permit to modify and operate.
(9 VAC 5-80-850)
5. **Fuel Throughput** - The four generators (Ref # Gen1, Gen2, Gen3, and Gen4) shall consume no more than 198,000 gallons of distillate oil which meets ASTM [D396-78] specifications for numbers 1 or 2 fuel oil per year, calculated monthly as the sum of each consecutive 12 month period.
(9 VAC 5-80-850)
6. **Fuel Throughput** - The 14.7 MMBtu/hr Cleaver Brooks Boiler (Ref # 1) shall consume no more than 919,800 gallons of distillate oil per year or 128,772,000 cubic feet of natural gas per year, calculated as the sum of each consecutive 12 month period.
(9 VAC 5-80-850)
7. **Fuel Throughput** - The 12.5 MMBtu/hr Cleaver Brooks Boiler (Ref # 2) shall consume no more than 788,400 gallons of distillate oil per year or 110,376,000 cubic feet of natural gas per year, calculated as the sum of each consecutive 12 month period.
(9 VAC 5-80-850)
8. **Fuel Throughput** - The total natural gas throughput to the two direct contact water heaters (Ref # 3 and 4) shall not exceed 262,800,000 cubic feet per year calculated as the sum of the consecutive 12 month period.
(9 VAC 5-80-850)

9. **Fuel Specifications** - The distillate oil shall meet the specifications below:

DISTILLATE OIL which meets ASTM [D396-78] specifications for numbers 1 or 2 fuel oil: Maximum sulfur content per shipment: 0.5%

(9 VAC 5-80-850)

10. **Fuel Certification** - The permittee shall obtain a certification from the fuel supplier with each shipment of distillate oil. Each fuel supplier certification shall include the following:

- a. The name of the fuel supplier;
- b. The date on which the distillate oil was received;
- c. The volume of distillate oil delivered in the shipment;
- d. A statement that the distillate oil complies with the American Society for Testing and Materials specifications [D396-78] for numbers 1 or 2 fuel oil, and
- e. The sulfur content of the distillate oil.

(9 VAC 5-80-850)

11. **Emission Limits** - Emissions from the operation of the four generators (Ref # Gen1, Gen2, Gen3, and Gen4) shall not exceed the limits specified below:

Particulate Matter	5.4 lbs/hr	1.0 tons/yr
PM-10	5.4 lbs/hr	1.0 tons/yr
Sulfur Dioxide	45.1 lbs/hr	8.1 tons/yr
Nitrogen Oxides (as NO ₂)	183.0 lbs/hr	32.9 tons/yr
Carbon Monoxide	25.8 lbs/hr	4.6 tons/yr
Volatile Organic Compounds	12.9 lbs/hr	2.3 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence

of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers 3, 5, 9, and 16.
(9 VAC 5-80-850)

12. Emission Limits - Emissions from the operation of the 14.7 MMBtu/hr Cleaver Brooks Boiler (Ref # 1) shall not exceed the limits specified below:

Particulate Matter	0.2 lbs/hr	0.9 tons/yr
PM-10	0.1 lbs/hr	0.5 tons/yr
Sulfur Dioxide	7.5 lbs/hr	32.7 tons/yr
Nitrogen Oxides (as NO ₂)	2.1 lbs/hr	9.2 tons/yr
Carbon Monoxide	1.2 lbs/hr	5.4 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers 4, 6, 9, and 18.
(9 VAC 5-80-850)

13. Emission Limits - Emissions from the operation of the 12.5 MMBtu/hr Cleaver Brooks Boiler (Ref # 2) shall not exceed the limits specified below:

Particulate Matter	0.2 lbs/hr	0.8 tons/yr
PM-10	0.1 lbs/hr	0.4 tons/yr
Sulfur Dioxide	6.2 lbs/hr	27.8 tons/yr
Nitrogen Oxides (as NO ₂)	1.8 lbs/hr	7.8 tons/yr
Carbon Monoxide	1.1 lbs/hr	4.6 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers 4, 7, 9, and 17.
(9 VAC 5-80-850)

14. **Emission Limits** - Emissions from the operation of the two direct contact water heaters (Ref # 3 and 4) shall not exceed the limits specified below:

Particulate Matter	0.2 lbs/hr	1.0 tons/yr
PM-10	0.2 lbs/hr	1.0 tons/yr
Nitrogen Oxides (as NO ₂)	3.0 lbs/hr	13.2 tons/yr
Carbon Monoxide	2.6 lbs/hr	11.0 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition number 8.
(9 VAC 5-80-850)

15. **Emission Limits** - Regardless of the emission limits listed in conditions 11, 12, 13, and 14 of this permit, facility wide emissions from the operation of this facility shall not exceed the limits specified below:

Particulate Matter	6.0 lbs/hr	3.7 tons/yr
PM-10	5.8 lbs/hr	2.9 tons/yr
Sulfur Dioxide	59.1 lbs/hr	68.8 tons/yr
Nitrogen Oxides (as NO ₂)	189.9 lbs/hr	63.1 tons/yr
Carbon Monoxide	30.7 lbs/hr	25.6 tons/yr
Volatile Organic Compounds	13.3 lbs/hr	3.0 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers 3, 4, 5, 6, 7, 8, 9, 16, 17, and 18.
(9 VAC 5-80-850)

16. **Visible Emission Limit** - Visible emissions from each of the four generators (Ref # Gen1, Gen2, Gen3, and Gen4) shall not exceed 10 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 20 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-80-850)
17. **Visible Emission Limit** - Visible emissions from the 12.5 MMBtu/hr Cleaver Brooks Boiler (Ref # 2) shall not exceed 20 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A), except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity. This condition applies at all times except during start-up, shutdown, or malfunction.
(9 VAC 5-80-850)
18. **Visible Emission Limit** - Visible emissions from the 14.7 MMBtu/hr Cleaver Brooks Boiler (Ref # 1), the two direct contact heaters (Ref # 3 and 4), and lime storage silo (Ref # S-1) shall not exceed 20 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A), except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity. This condition applies at all times except during start-up, shutdown, or malfunction.
(9 VAC 5-80-850)
19. **Requirements by Reference** - Except where this permit is more restrictive than the applicable requirement, the NSPS equipment as described in Condition 1 shall be operated in compliance with the requirements of 40 CFR 60, Subpart Dc.
(9 VAC 5-50-400 and 9 VAC 5-50-410)

RECORDS AND REPORTING

20. **Onsite Records** - The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the Director, Piedmont Regional Office. These records shall include, but are not limited to:
- a. Annual throughput of diesel fuel to the four generators (Ref # Gen1, Gen2, Gen3, and Gen4). Annual throughput shall be calculated monthly as the sum of each consecutive 12 month period;
 - b. The monthly throughput of distillate oil and/or the monthly throughput of natural gas to the two Cleaver Brooks boilers (Ref # 1 and 2);
 - c. The monthly throughput of natural gas to each of the two direct contact water heaters (Ref # 3 and 4). If both units are served by a single gas meter, monthly gas consumption may be

determined by allocating to each water heater that portion of the total gas metered that corresponds to the relation between the rated heat input capacity of each water heater and the total rated heat input capacity of both units served by the gas meter;

- d. All fuel supplier certifications;
- e. Records of all oil shipments purchased indicating the supplier, volume of the shipment, and date on which the shipment was made, and all subsequent oil analyses; and
- f. The annual consumption or throughput of material used to determine emissions characterized in conditions 11, 12, 13, 14 and 15.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-80-850 and 5-50-410)

21. **Testing/Monitoring Ports** - The permitted facility shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. Test ports shall be provided when requested or in accordance with the applicable performance specification (reference 40 CFR Part 60, Appendix B).
(9 VAC 5-80-930)

GENERAL CONDITIONS

22. **Right of Entry** - The permittee shall allow authorized local, state, and federal representatives, upon the presentation of credentials:
- a. To enter upon the permittee's premises on which the facility is located or in which any records are required to be kept under the terms and conditions of this permit;
 - b. To have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit or the State Air Pollution Control Board Regulations;
 - c. To inspect at reasonable times any facility, equipment, or process subject to the terms and conditions of this permit or the State Air Pollution Control Board Regulations; and
 - d. To sample or test at reasonable times.

For purposes of this condition, the time for inspection shall be deemed reasonable during regular business hours or whenever the facility is in operation. Nothing contained herein shall make an inspection time unreasonable during an emergency.

(9 VAC 5-170-130 and 9 VAC 5-80-850)

23. Notification for Facility or Control Equipment Malfunction - The permittee shall furnish notification to the Piedmont Regional Office of malfunctions of the affected facility or related air pollution control equipment that may cause excess emissions for more than one hour, by facsimile transmission, telephone, or telegraph. Such notification shall be made as soon as practicable but no later than four daytime business hours after the malfunction is discovered. The permittee shall provide a written statement giving all pertinent facts, including the estimated duration of the breakdown, within two weeks of discovery of the malfunction. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the permittee shall notify the Piedmont Regional Office in writing.

(9 VAC 5-20-180 C and 9 VAC 5-80-850)

24. Violation of Ambient Air Quality Standard - The permittee shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.

(9 VAC 5-20-180 I and 9 VAC 5-80-850)

25. Maintenance/Operating Procedures - At all times, including periods of start-up, shutdown, soot blowing, and malfunction, the permittee shall, to the extent practicable, maintain and operate the affected source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions.

The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to the fuel burning equipment and process equipment which affect such emissions:

- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.]
- b. Maintain an inventory of spare parts.
- c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures, prior to their first operation of such equipment. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.

(9 VAC 5-50-20 E and 9 VAC 5-80-850)

26. Permit Suspension/Revocation - This permit may be revoked if the permittee:

- a. Knowingly makes material misstatements in the permit application or any amendments to it;
- b. Fails to comply with the terms or conditions of this permit;
- c. Fails to comply with any emission standards applicable to a permitted emissions unit;
- d. Causes emissions from this facility which result in violations of, or interferes with the attainment and maintenance of, any ambient air quality standard;
- e. Fails to operate this facility in conformance with any applicable control strategy, including any emission standards or emission limitations, in the State Implementation Plan in effect at the time that an application for this permit is submitted;
- f. Fails to comply with the applicable provisions of Articles 6, 8 and 9 of 9 VAC 5 Chapter 80.

(9 VAC 5-80-1010)

27. Change of Ownership - In the case of a transfer of ownership of a stationary source, the new owner shall abide by any current permit issued to the previous owner. The new owner shall notify the Piedmont Regional Office of the change of ownership within 30 days of the transfer.

(9 VAC 5-80-940)

28. Permit Copy - The permittee shall keep a copy of this permit on the premises of the facility to which it applies.

(9 VAC 5-80-860 D)

STATE-ONLY ENFORCEABLE REQUIREMENTS

The following terms and conditions are included in this permit to implement the requirements of 9 VAC 5-40-130 et seq. and are enforceable only by the Virginia Air Pollution Control Board. Neither their inclusion in this permit nor any resulting public comment period make these terms federally enforceable.

29. Odor Management Plan: The Odor Control Management Plan describing the practices and technology that will be used to minimize off-site odors and to address odor complaints that may occur shall be an enforceable part of this permit. The plan shall incorporate the use of best available odor control technology that is economically and technically feasible for this

facility. The plan shall also describe procedures that will be implemented in response to citizen odor complaints or the detection of significant off-site odors by DEQ staff, including progressive steps that will be taken to reduce odors.

- a. A log of all odor complaints received and actions taken shall be kept and made available for inspection by authorized Federal, State or Local officials.
- b. The Odor Control Management Plan shall be reviewed annually by the permittee and evaluated for the need and feasibility of new or modified odor control technology or practices. Results of the annual plan review, a modified plan (if applicable) and a copy of the log shall be submitted to the Piedmont Regional Office by March 1st of each year.
- c. The Odor Control Management Plan shall be updated, upon request of DEQ, to address odor complaints from an on-going odor problem that the Odor Control Management Plan did not anticipate or cannot alleviate. DEQ's request will provide adequate time for the permittee to respond.

(9 VAC 5-40-140 and 9 VAC 5-80-850)